

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

E.I. DU PONT DE NEMOURS	:
AND COMPANY,	:
CONOCO INC., and	:
SPORTING GOODS PROPERTIES,	:
INC.	:
	:
Plaintiffs,	:
	:
v.	:
	:
UNITED STATES OF AMERICA,	:
UNITED STATES DEPARTMENT OF	:
COMMERCE,	:
UNITED STATES DEPARTMENT OF	:
DEFENSE,	:
UNITED STATES DEPARTMENT OF	:
THE ARMY,	:
UNITED STATES DEPARTMENT OF	:
ENERGY,	:
UNITED STATES DEPARTMENT OF	:
THE INTERIOR, and	:
UNITED STATES DEPARTMENT OF	:
THE NAVY	:
	:
Defendants.	:
	:

William H. Hyatt, Jr., Esq (WH 2758)
Kirkpatrick & Lockhart LLP
One Riverfront Plaza
7th Floor
Newark, NJ 07102

John McGahren, Esq. (JM 3568)
Latham & Watkins
One Newark Center
16th Floor
Newark, NJ 07101

Attorneys for Plaintiffs

Thomas L. Sansonetti, Assistant Attorney General
Michael D. Rowe
Scott J. Jordan
David M. Thompson
Eric G. Hostetler
Michele L. Walter
United States Department of Justice
Environmental & Natural Resources Division
Environmental Defense Section
950 Pennsylvania Avenue
P.O. Box 23986
Washington, DC 20026-3986
(202) 514-3144 (Rowe)

Christopher J. Christie
United States Attorney
Susan C. Cassell
Anthony J. LaBruna
Assistant United States Attorneys
970 Broad Street
Newark, NJ 07102
(973) 645-2926

Attorneys for the Defendants

MARTINI, District Judge:

AMENDED ORDER

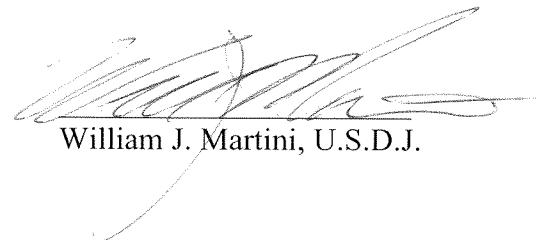
The Court vacates its Order of December 30, 2003.

For the reasons set forth in the *Memorandum Opinion*, the Court GRANTS Defendants' motion for summary judgment.

IT IS on this 8th day of January, 2004

ORDERED that Defendants' motion for summary judgment is GRANTED with respect to Count 2: Section 113(f) of CERCLA, 42 U.S.C. § 9613(f).

Du Pont's claim with regard to the Louisville, Kentucky site is dismissed with prejudice. All claims brought by other named Plaintiffs, or by Du Pont with regard to other sites are not effected by this order.



William J. Martini, U.S.D.J.